recovering an index relating said second segment sequence to said first segment sequence;

decrypting said encrypted information segments to form respective decrypted information segments;

re-sequencing, using said recovered index, said decrypted information segments to form an information stream comprising a plurality of image segments arranged according to said first segment sequence; and

decompressing a plurality of image frames forming each of said information stream segments, where said step of decomposing said image frames produces control information indicative of buffer behavior.

REMARKS

In view of the following discussion, the Applicant submits that all of the claims now pending in the application fully comply with the provisions of 35 U.S.C. § 112, first and second paragraphs. Thus, the Applicant believes that all of these claims are now in allowable form.

I. REJECTION OF CLAIMS 1-18, AND 22-29 UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

The Examiner has rejected claims 1-18 and 22-29 in paragraphs 3 and 4 of the Office Action under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, the Examiner alleged that "there is no discussion in the specification of the compression of image frames producing control information indicative of buffer behavior". Additionally, the Examiner alleged that "secondly, 'indicative' does not define any real relationship between the control information and the buffer behavior". The rejection is respectfully traversed.

First, the Examiner's attention is directed to the fact the term "buffer behavior" is specifically used in Applicant's specification. Specifically, Applicant's specification on page 11, line 33 to page 12, line 15 positively recites:

"At step 308 the segments are compressed according to, e.g., MPEG-2 video and related audio compression techniques. Since the stream segments produced at step 306 are typically self contained with respect to buffer behavior, the compression processes utilized at step 308 may be performed in parallel. That is, multiple audio visual stream segments may be compressed in parallel using a parallel processing or parallel encoding technique. Otherwise, a single MPEG or other compression module may be used to process each stream segment in a standard manner to produce a compressed output stream comprising a plurality of compressed stream segments. The routine 300 then proceeds to step 310. At step 310 the compressed stream segments are re-sequenced (i.e., "shuffled") to produce a re-sequenced compressed audio video information stream and associated index table. The index table includes information relating the re-sequenced segments to the initial sequence of segments such that the re-sequenced information stream segments may be rearranged to produce the initial stream segment order. The routine 300 then proceeds to step 312". (emphasis added)

Additionally, Applicant's originally filed claim 14 positively recites:

"14. The method of claim 1, wherein
said step of compressing said information frames produces control information indicative of a utilization level of a decoder buffer; and
said step of encrypting includes a step of encrypting said indicia of decoder buffer utilization. (emphasis added)

In the specification, Applicant clearly asserted that "the segments are compressed according to, e.g., MPEG-2 video and related audio compression techniques". Examples of MPEG compression techniques that compress image frames in accordance with control information indicative of buffer behavior can be found in US patents 6,243,497, 6,160,846, and 6,023,296, which are commonly assigned to the present Assignee. The specifications of these issued patents contain information that clearly describe control information indicative of buffer behavior. Thus, the present specification viewed by those skilled in the art, clearly described the invention in such a way as to enable one skilled in the art to make and/or use the invention.

Additionally, Applicant's originally filed claim 14 also clearly recited that "said step of compressing said information frames produces control information indicative of a utilization level of a decoder buffer". The Examiner's attention is directed to the well known holding that "original claims constitute their own description". See *In re Koller*, 613 F.2d 819 and MPEP 2163.03 I. Thus, Applicant respectfully submits that claims 1-18 and 22-29 fully satisfy the

requirement under 35 U.S.C. 112, first paragraph in view of Applicant's specification.

Second, Applicant disagrees with the Examiner's assertion that the term "'indicative' does not define any real relationship between the control information and the buffer behavior". The term "indicative" indicates that the control information carries or reflects information that provides insight into the buffer behavior", e.g., buffer fullness or lack of buffer fullness and the like. The term "indicative" has a well known interpretation, especially in the field of Patent Law. To illustrate, a cursory search on the USPTO database produced 12 issued patents assigned to the present Assignee where the term "indicative" is used in the claims. Another search also revealed that over 22,500 issued patents contain the term "indicative" in the claims. Such prevalent use of this term in issued patents clearly indicated the acceptance of this term as proper claim language.

Finally, Applicant respectfully declines to accept the Examiner's invitation to amend the term "buffer behavior" into "buffer operation". As noted above, Applicant has used the term "buffer behavior" in the specification. As such, Applicant is inclined to use the same language in the claims for consistency.

II. REJECTION OF CLAIMS 23 AND 25-29 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Examiner has rejected claims 23 and 25-29 in paragraphs 5 and 6 of the Office Action under 35 U.S.C. 112, second paragraph, for insufficient antecedent basis. Responsive to the Examiner, Applicant has amended claim 23 to address the lack of antecedent basis. It is respectfully submitted that claims 23 and 25-29 now fully satisfy the requirement of 35 U.S.C. 112, second paragraph.

Conclusion

Thus, the Applicant submits that all of these claims now fully satisfy the requirements of 35 U.S.C. §112. Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

10/1/01

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Appendix
(Marked-up copy of amended claims)

23. (Thrice amended) A method for recovering an information stream having a first segment sequence from an encrypted re-sequenced information stream having a second segment sequence, said method comprising the steps of:

recovering an index relating said second segment sequence to said first segment sequence;

decrypting said encrypted information segments to form respective decrypted information segments;

re-sequencing, using said recovered index, said decrypted information segments to form an information stream comprising a plurality of image segments arranged according to said first segment sequence; and

decompressing a plurality of image frames forming each of said information stream segments, where said step of decomposing said image frames produces control information indicative of [said] buffer behavior.